

Conference Engrossed

State of Arizona
House of Representatives
Forty-sixth Legislature
Second Regular Session
2004

CHAPTER 336

HOUSE BILL 2601

AN ACT

AMENDING SECTIONS 13-3990, 15-201, 15-1401 AND 15-1405, ARIZONA REVISED STATUTES; REPEALING SECTION 15-1424, ARIZONA REVISED STATUTES; AMENDING SECTION 15-1427, ARIZONA REVISED STATUTES; REPEALING SECTION 15-1428, ARIZONA REVISED STATUTES; AMENDING SECTIONS 15-1444, 15-1446, 15-1466.01, 15-1469 AND 15-1472, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 12, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-1473; AMENDING SECTIONS 15-1802.01, 15-1804, 15-1821, 15-1822, 15-1824, 15-1851, 15-1861, 15-1863, 15-1872, 23-391, 32-3001, 35-101, 41-617, 41-790.01, 41-1057, 41-1829.01, 41-1862, 41-3501, 42-5029.01 AND 44-7002, ARIZONA REVISED STATUTES; RELATING TO COMMUNITY COLLEGES; PROVIDING FOR CONDITIONAL ENACTMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 13-3990, Arizona Revised Statutes, is amended to
3 read:

4 13-3990. Notice of conviction of teachers

5 On the conviction of a person of an offense in this title or of any
6 felony, if the person is certified to teach by the state board of education
7 ~~or state board of directors for community colleges~~, or is teaching in a
8 COMMUNITY COLLEGE DISTRICT OR charter school, a copy of the judgment and
9 sentence, and of the opinion of the court or magistrate, if any opinion is
10 filed, shall be sent by the clerk of the court, or by the magistrate, to the
11 certifying STATE board OF EDUCATION, TO THE COMMUNITY COLLEGE DISTRICT or to
12 the charter school.

13 Sec. 2. Section 15-201, Arizona Revised Statutes, is amended to read:

14 15-201. State board of education; members; appointment; terms

15 A. The state board of education shall be composed of the
16 superintendent of public instruction, the president of a state university or
17 a state college, three lay members, ~~a member of the state board of directors~~
18 ~~for community colleges~~ A PRESIDENT OR CHANCELLOR OF A COMMUNITY COLLEGE
19 DISTRICT, a superintendent of a high school district, a classroom teacher and
20 a county school superintendent. A member who is a president of a state
21 university or a state college shall not succeed himself.

22 B. The governor shall appoint each member, other than the
23 superintendent of public instruction, pursuant to section 38-211 for a term
24 of four years beginning on the third Monday in January.

25 Sec. 3. Section 15-1401, Arizona Revised Statutes, is amended to read:

26 15-1401. Definitions

27 In this chapter, unless the context otherwise requires:

28 1. "Accredited" means accredited by a regional accrediting agency
29 recognized by the United States department of education or by the council on
30 postsecondary accreditation.

31 2. "Additional short-term classes" means those classes which are not
32 in session on the forty-fifth day of the fall or spring semester, which
33 commence at various times during the fiscal year and which are offered over
34 a period of less than sixteen weeks.

35 3. "Budget year" means the fiscal year for which the community college
36 district is budgeting and which immediately follows the current year.

37 4. "Community college" means an educational institution that is
38 operated by a district board and that provides a program not exceeding two
39 years' training in the arts, sciences and humanities beyond the twelfth grade
40 of the public or private high school course of study or vocational education,
41 including terminal courses of a technical and vocational nature and basic
42 adult education courses.

43 5. "Current year" means the fiscal year in which the community college
44 district is operating.

1 6. "District" means A community college district THAT IS established
2 pursuant to sections 15-1402 and 15-1403 which AND THAT is a political
3 subdivision of this state and, unless otherwise specified, includes
4 provisional community college districts established pursuant to section
5 15-1409.

6 7. "District board" means the community college district governing
7 board.

8 8. "Full-time equivalent student" means student enrollment for fifteen
9 community college semester credit units per semester.

10 9. "Open entry, open exit classes" means those classes in which
11 students enter or exit based on mastery of specified competencies and which
12 commence at various times during the fiscal year.

13 10. "Operational expense budget" means the budget as adopted by the
14 district board pursuant to section 15-1461.

15 11. "Operational expenses" means the administration, instruction,
16 operation of community college plant, maintenance of community college plant,
17 fixed charges and contingencies incurred in the operation of a district
18 exclusive of all capital outlay items, special levies, auxiliary enterprise
19 funds, restricted funds and bond service items.

20 12. "Provisional community college district" means a community college
21 district organized pursuant to section 15-1409.

22 ~~13. "State board" means the state board of directors for community~~
23 ~~colleges.~~

24 Sec. 4. Section 15-1405, Arizona Revised Statutes, is amended to read:
25 15-1405. Presentation of plan to legislature by county board of
26 supervisors

27 The ~~state board~~ COUNTY BOARD OF SUPERVISORS shall present a plan to the
28 legislature for formation and establishment of a community college district
29 no later than January 15 subsequent to the election held as provided in
30 section 15-1404.

31 Sec. 5. Repeal

32 Section 15-1424, Arizona Revised Statutes, is repealed.

33 Sec. 6. Section 15-1427, Arizona Revised Statutes, is amended to read:
34 15-1427. Annual report

35 By November 1 of each year, ~~the state board~~ EACH COMMUNITY COLLEGE
36 DISTRICT shall make a report for the preceding fiscal year to the governor
37 and the ~~legislature~~ JOINT LEGISLATIVE BUDGET COMMITTEE AND SHALL PROVIDE A
38 COPY OF THIS REPORT TO THE SECRETARY OF STATE AND THE DIRECTOR OF THE ARIZONA
39 STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS. The report shall set forth the
40 state of progress of the community colleges operated under ~~the provisions of~~
41 this chapter, the courses of study included in the curriculums, the number
42 of professors and other instructional staff members employed, the number of
43 students registered and attending classes, the number of full-time equivalent
44 students enrolled during the year, the total number of students not residing
45 in the district, the amount of receipts and expenditures and such other

1 information as the governor and the legislature JOINT LEGISLATIVE BUDGET
2 COMMITTEE deem proper.

3 Sec. 7. Repeal

4 Section 15-1428, Arizona Revised Statutes, is repealed.

5 Sec. 8. Section 15-1444, Arizona Revised Statutes, is amended to read:
6 15-1444. General powers of district governing boards

7 A. Except as otherwise provided, the district board shall:

8 1. Maintain each community college for a period of not less than eight
9 months in each year and, if the funds of the district are sufficient,
10 maintain each community college for a longer period.

11 2. Adopt policies in a public forum to offer programs that meet the
12 educational needs of the population served by the community college.

13 3. Enforce the courses of study prescribed by the district board.

14 4. Visit each community college under its jurisdiction and examine
15 carefully into its management, conditions and needs.

16 5. Exclude from each community college all books, publications or
17 papers of a sectarian, partisan or denominational character intended for use
18 as textbooks.

19 6. Appoint and employ a chancellor or chancellors, vice-chancellors,
20 a president or presidents, vice-presidents, deans, professors, instructors,
21 lecturers, fellows and such other officers and employees it deems necessary.
22 The district board may enter into employment contracts with chancellors,
23 vice-chancellors and presidents for a duration of more than one year but not
24 more than five years.

25 7. Determine the salaries of persons it appoints and employs.

26 8. Remove any officer or employee if in its judgment the interests of
27 education in this state require the removal.

28 9. Award degrees, certificates and diplomas upon the completion of
29 courses and curriculum as it deems appropriate.

30 10. Appoint or employ, if it deems necessary, police officers who shall
31 have the authority and power of peace officers. The police officers who have
32 received a certificate from the Arizona peace officer standards and training
33 board are eligible for membership in and benefits under either title 38,
34 chapter 5, article 2 or the public safety personnel retirement system under
35 title 38, chapter 5, article 4.

36 11. Determine the location within the district of a community college
37 and purchase, receive, hold, make and take leases of, sell and convey real
38 or personal property for the benefit of the community colleges under its
39 jurisdiction.

40 12. Obtain insurance or be self-insured, or a combination of insurance
41 and self-insurance, against loss, to the extent it is determined necessary
42 on community college buildings of the district. The local district shall
43 have an insurable interest in the buildings.

44 B. The district board may:

1 1. Administer trusts declared or created for the district and receive
2 by gift or devise and hold in trust or otherwise property wheresoever
3 located, and if not otherwise provided, dispose of the property for the
4 benefit of the district.

5 2. Lease real property, as lessor or as lessee. If a district is the
6 lessee, the lease may contain an option to purchase the property. The
7 district board may adopt policies as are deemed necessary and may delegate
8 in writing to the chancellor or president of the district, or their
9 designees, all or any part of its authority to lease property under this
10 paragraph. A district board shall not delegate the authority to execute a
11 lease that exceeds one hundred thousand dollars per year. Any delegation by
12 the district board pursuant to this paragraph may be rescinded in whole or
13 in part at any time by the district board.

14 3. Sue and be sued.

15 4. Contract. The district board may adopt such policies as are deemed
16 necessary and may delegate in writing to the chancellor or president of the
17 district, or their designees, all or any part of its authority to contract
18 under this paragraph. Any delegation of authority under this paragraph may
19 be rescinded by the district board at any time in whole or in part.

20 5. Construct, remodel and repair buildings.

21 6. In conjunction with other districts, establish policies for
22 procurement of goods and services.

23 7. Provide a plan or plans for employee benefits which may include
24 optional retirement programs pursuant to section 15-1451, subsection A, which
25 allow for participation in a cafeteria plan that meets the requirements of
26 the United States internal revenue code of 1986.

27 8. Accept grants or donations of monies from the United States, or
28 from any of its agencies, departments or officers, or from any persons,
29 corporations, foundations or associations. A district board shall deposit
30 the monies into a specific fund or account and a district board shall
31 administer the monies in accordance with the purpose of the grant or donation
32 with specific policies or restrictions as described or stipulated in the
33 grant or donation. In the case of personal property granted or donated to
34 or for the benefit of a community college district, a district board shall
35 immediately transfer possession and ownership of the property to the
36 designated district.

37 C. If a district acquires real or personal property, whether by
38 purchase, exchange, condemnation, gift or otherwise, the district shall pay
39 to the county treasurer any taxes on the property that were unpaid as of the
40 date of acquisition, including penalties and interest. The lien for unpaid
41 delinquent taxes, penalties and interest on property acquired by the
42 district:

43 1. Is not abated, extinguished, discharged or merged in the title to
44 the property.

45 2. Is enforceable in the same manner as other delinquent tax liens.

1 D. From and after December 31, 1988, in a district whose boundaries
2 encompass a vehicle emissions control area as defined in section 49-541 the
3 district board shall require all out of county and out of state students to
4 sign an affidavit at the time of course registration that the student's
5 vehicle meets the requirements of section 49-542. From and after December
6 31, 1988, the district board on property under its jurisdiction within a
7 vehicle emissions control area shall prohibit the parking of those vehicles
8 which fail to comply with section 49-542.

9 E. A community college district and a joint technological education
10 district governing board may enter into agreements for the provision of
11 administrative, operational and educational services and facilities.

12 F. EACH DISTRICT MAY ESTABLISH A PROGRAM FOR THE EXCHANGE OF STUDENTS
13 BETWEEN THE COMMUNITY COLLEGES UNDER ITS JURISDICTION AND COLLEGES AND
14 UNIVERSITIES LOCATED IN SONORA, MEXICO. THE PROGRAM MAY PROVIDE FOR IN-STATE
15 TUITION FOR SONORA STUDENTS AT THE COMMUNITY COLLEGES UNDER ITS JURISDICTION
16 IN EXCHANGE FOR SIMILAR TUITION PROVISIONS FOR ARIZONA STUDENTS ENROLLED OR
17 SEEKING ENROLLMENT IN SONORA COLLEGES AND UNIVERSITIES. THE COMMUNITY
18 COLLEGES MAY WORK IN CONJUNCTION WITH THE ARIZONA-MEXICO COMMISSION IN THE
19 GOVERNOR'S OFFICE TO COORDINATE RECRUITMENT AND ADMISSIONS ACTIVITIES TO
20 PROVIDE FOR IN-STATE TUITION FOR UP TO FIFTY SONORA STUDENTS AT THE COMMUNITY
21 COLLEGES UNDER ITS JURISDICTION IN EXCHANGE FOR SIMILAR TUITION PROVISIONS
22 FOR UP TO FIFTY TOTAL ARIZONA STUDENTS ENROLLED OR SEEKING ENROLLMENT IN
23 SONORA COLLEGES AND UNIVERSITIES.

24 G. EACH DISTRICT SHALL FACILITATE TRANSFER ARTICULATION COORDINATION
25 PURSUANT TO SECTION 15-1824.

26 Sec. 9. Section 15-1446, Arizona Revised Statutes, is amended to read:
27 15-1446. Lease-purchase agreements

28 A. A district board may enter into lease or lease-purchase agreements
29 for real property, including buildings and improvements to the property.

30 B. Lease or lease-purchase agreements authorized by subsection A of
31 this section or section 15-1444, subsection A, paragraph 11 shall not create
32 an obligation of payment by the district under the terms of the lease or
33 lease-purchase agreement for periods longer than fifteen years.

34 C. NOTWITHSTANDING SUBSECTION B OF THIS SECTION, A DISTRICT BOARD MAY
35 ENTER INTO LEASE AGREEMENTS FOR REAL PROPERTY, INCLUDING BUILDINGS AND
36 IMPROVEMENTS TO THE PROPERTY, THAT OBLIGATE THE DISTRICT FOR MORE THAN
37 FIFTEEN YEARS IF SUCH AGREEMENTS ARE WITH AN INDIAN TRIBE, INVOLVE LAND OWNED
38 OR CONTROLLED BY THE FEDERAL GOVERNMENT OR BY A JOINT POWERS AIRPORT
39 AUTHORITY ORGANIZED UNDER TITLE 28, CHAPTER 25, ARTICLE 8 OR INVOLVE REAL
40 PROPERTY THAT IS OWNED BY A NONGOVERNMENTAL NONPROFIT CORPORATION AND THAT
41 IS OFFERED FOR LEASE IN AN AMOUNT NOT TO EXCEED ONE THOUSAND DOLLARS PER YEAR
42 TO A COMMUNITY COLLEGE DISTRICT FOR PURPOSES OF EXPANDING HEALTH CARE
43 EDUCATION PROGRAMS.

44 ~~C.~~ D. The amount of outstanding indebtedness due to acquisition of
45 real property by lease-purchase for each district shall not exceed two

1 million five hundred thousand dollars in any one year and fifteen million
2 dollars in the aggregate. A district board may pledge tuitions, fees,
3 rentals and other charges to any payments due under lease-purchase
4 agreements.

5 ~~D.~~ E. Notwithstanding subsection ~~C~~ D of this section, periodic
6 payments and any option payments for acquisition of real property by
7 lease-purchase are restricted to payment from capital outlay funds.

8 ~~E.~~ F. Districts that acquire real property by lease-purchase are not
9 entitled to receive monies pursuant to section 15-1463 pertaining to the
10 specific real property acquired by lease-purchase.

11 ~~F.~~ G. Notwithstanding any other law, payments on lease or
12 lease-purchase agreements entered into pursuant to subsection A of this
13 section or section 15-1444, subsection A, paragraph 11 are obligations of the
14 district within the meaning of the constitutional limit against indebtedness
15 set out in article IX, section 8, Constitution of Arizona.

16 Sec. 10. Section 15-1466.01, Arizona Revised Statutes, is amended to
17 read:

18 15-1466.01. Calculation of full-time equivalent student
19 enrollment

20 In determining state aid under sections 15-1464 and 15-1466 the number
21 of full-time equivalent students shall be calculated in the following manner:

22 1. For the basic actual full-time equivalent student enrollment, add
23 the number of full-time equivalent students enrolled as of forty-five days
24 after classes begin in the fall semester to the number of full-time
25 equivalent students enrolled as of forty-five days after classes begin in the
26 spring semester, not including additional short-term classes, and divide the
27 sum by two.

28 2. For the additional short-term and open entry, open exit full-time
29 equivalent student enrollments:

30 (a) Determine the total number of credit units for students enrolled
31 in additional short-term and open entry, open exit classes for the fiscal
32 year.

33 (b) Determine the total number of credit units for students who have
34 completed the additional short-term and open entry, open exit classes for the
35 fiscal year. Any student who has not completed the class by June 30 of each
36 fiscal year shall not be eligible to be counted for state aid purposes until
37 the following year.

38 (c) Add the amounts in subdivisions (a) and (b).

39 (d) Divide the amount determined in subdivision (c) by two.

40 (e) Divide the quotient obtained in subdivision (d) by thirty.

41 (f) The result in subdivision (e) is the additional short-term and open
42 entry, open exit full-time equivalent student enrollments for the fiscal
43 year.

44 3. For the skill center and adult basic education courses full-time
45 equivalent student enrollment, divide by six hundred forty the total class

1 attended clock hours of persons who complete vocational training. Any
2 student who does not complete vocational training programs by June 30 of each
3 fiscal year shall not be eligible to be counted for state aid purposes until
4 the following year.

5 4. The total of basic actual, additional short-term and open entry,
6 open exit and skill center full-time equivalent student enrollment shall be
7 the basis of providing state aid. Beginning with the audit for the year
8 ending June 30, 2003, the auditor general shall audit separately any
9 full-time equivalent student enrollment where a student is enrolled in a
10 course for both high school and college credit simultaneously, except for
11 credit received at a private college or a college owned, operated or
12 chartered by an Indian tribe, taking into consideration any relevant law,
13 regulation or rule. The full-time equivalent student enrollment reported by
14 each district for all basic actual, additional short-term and open entry,
15 open exit classes and skill center and adult basic education courses shall
16 be audited annually by the auditor general. THE AUDITOR GENERAL SHALL REPORT
17 THE RESULTS OF THE AUDIT TO THE STAFFS OF THE JOINT LEGISLATIVE BUDGET
18 COMMITTEE AND THE GOVERNOR'S OFFICE OF STRATEGIC PLANNING AND BUDGETING BY
19 OCTOBER 15 OF EACH YEAR.

20 Sec. 11. Section 15-1469, Arizona Revised Statutes, is amended to
21 read:

22 15-1469. Attendance of nonresident state students; payment of
23 cost by county of residence

24 A. The district may admit students from any part of this state which
25 is not a part of an established community college district on the same
26 conditions as residents.

27 B. It shall be the obligation of the county of the student's residence
28 to reimburse the district as provided in this subsection. The amount of
29 reimbursement to each community college district from each county which is
30 not a part of an organized community college district shall be determined as
31 follows:

32 1. For students attending classes within the established community
33 college district:

34 (a) Determine the number of full-time equivalent students attending
35 classes within the district from the county for the year preceding the
36 current year.

37 (b) Determine the operational expenses of the district for the current
38 year excluding direct and indirect costs of noncredit courses.

39 (c) Determine the amount of state aid the district received for the
40 current year as provided in section 15-1466.

41 (d) Subtract the amount of state aid received for the current year
42 determined in subdivision (c) from the amount of operational expenses for the
43 current year determined in subdivision (b).

44 (e) Determine the number of full-time equivalent students enrolled in
45 the district for the current year.

1 (f) Divide the amount determined in subdivision (d) by the number of
2 full-time equivalent students determined in subdivision (e).

3 (g) Multiply the amount determined in subdivision (f) by the average
4 number of full-time equivalent students for the county determined as provided
5 in subdivision (a).

6 The resulting amount is the amount of reimbursement to the district from the
7 county for the budget year for students attending classes within the
8 established community college district.

9 2. For students attending classes offered by the district within the
10 county pursuant to section 15-1470, the amount specified in the
11 intergovernmental agreement is the amount of reimbursement to the district
12 from the county for the budget year for students attending classes within the
13 county.

14 C. The county school superintendent of the county of the student's
15 residence shall certify to the state COMMUNITY COLLEGE DISTRICT board and the
16 board of supervisors that the student is a resident of the county.

17 D. On or before May 15, the staff of the joint legislative budget
18 committee shall:

19 1. Determine the amount of reimbursement to each district from each
20 county pursuant to subsection B, paragraph 1 of this section.

21 2. Notify the board of supervisors of each county of the amount it
22 shall reimburse to each district pursuant to subsection B, paragraph 1 of
23 this section for the budget year.

24 3. Notify each community college district eligible to receive
25 reimbursement of the amount of reimbursement from each county pursuant to
26 subsection B, paragraph 1 of this section for the budget year.

27 E. On or before November 15 and May 15, the board of supervisors shall
28 draw warrants on the county treasurer in favor of the community college
29 district for half of the amount due pursuant to subsection B of this section.
30 The board of supervisors shall:

31 1. Pay monies from the county general fund or levy a community college
32 reimbursement levy pursuant to section 42-17203 for the amount of
33 reimbursement pursuant to an intergovernmental agreement for extension
34 courses as provided in section 15-1470.

35 2. Pay monies from the county general fund or levy a community college
36 reimbursement levy pursuant to section 42-17203 for the amount of
37 reimbursement pursuant to subsection B, paragraph 1 of this section.

38 F. Notwithstanding subsection E of this section, a county and a
39 community college district may specify by intergovernmental agreement that
40 the amount of reimbursement due from the county be reduced by the value of
41 in-kind contributions made by the county to the district.

42 G. For the purposes of subsection B, paragraph 1 of this section
43 full-time equivalent students are determined in the same manner prescribed
44 by section 15-1466.01.

1 Sec. 12. Section 15-1472, Arizona Revised Statutes, is amended to
2 read:

3 15-1472. Community college district workforce development
4 accounts; report

5 A. Each community college district shall establish a separate
6 workforce development account to receive only tax revenues authorized
7 pursuant to section 42-5029, subsection E, paragraph 3. Each community
8 college district board shall approve the expenditure of these monies in
9 accordance with section 15-1461 and consistent with ~~the provisions of~~
10 subsection B of this section.

11 B. Monies received pursuant to subsection A of this section shall be
12 expended for workforce development and job training purposes. These
13 expenditures may include:

- 14 1. Partnerships with businesses and educational institutions.
- 15 2. Additional faculty for improved and expanded classroom instruction
16 and course offerings.
- 17 3. Technology, equipment and technology infrastructure for advanced
18 teaching and learning in classrooms or laboratories.
- 19 4. Student services such as assessment, advisement and counseling for
20 new and expanded job opportunities.
- 21 5. The purchase, lease or lease-purchase of real property, for new
22 construction, remodeling or repair of buildings or facilities on real
23 property.

24 C. The state treasurer shall transfer monies under this section into
25 each district's workforce development account by the fifteenth day of each
26 month. The state treasurer shall also allocate and distribute any pooled
27 interest earnings earned from revenues authorized in section 42-5029,
28 subsection E, paragraph 3 to each district in accordance with the method
29 prescribed in subsection D, paragraph 2 of this section.

30 D. Revenues authorized for community college districts in section
31 42-5029, subsection E, paragraph 3 shall be distributed by the state in the
32 following manner:

- 33 1. For thirteen fiscal years beginning in fiscal year 2001-2002 the
34 state treasurer shall allocate one million dollars per fiscal year for the
35 purpose of bringing this state into compliance with the matching capital
36 requirements prescribed in section 15-1463. The state treasurer shall
37 distribute the monies authorized in this subsection to each district in the
38 order in which each campus qualified for funding pursuant to section 15-1463.
- 39 2. After the monies have been paid each year to the eligible district
40 pursuant to paragraph 1 of this subsection, the state treasurer shall
41 distribute monies from the workforce development fund to each community
42 college district in the following manner:

- 43 (a) Each district shall receive the sum of two hundred thousand
44 dollars.

1 (b) After each district has received the payments prescribed in
2 subdivision (a) of this paragraph, the remainder of monies in the fund shall
3 be distributed to each district according to each district's full-time
4 equivalent student enrollment percentage of the total state wide audited
5 full-time equivalent student enrollment in the preceding fiscal year
6 prescribed in section 15-1466.01. The percentage distribution under this
7 subdivision shall be adjusted annually on October 1 of each year.

8 E. Revenues received by community college districts shall not be used
9 by the legislature to supplant or reduce any state aid authorized in this
10 chapter or supplant any proceeds from the sale of bonds authorized in this
11 article and article 5 of this chapter.

12 F. Monies received under this section shall not be considered to be
13 local revenues for purposes of article IX, section 21, Constitution of
14 Arizona.

15 G. Each community college district shall submit a workforce
16 development plan by April 1 of each year to the department of commerce. The
17 plan shall outline the purpose and goals for which workforce development
18 monies are to be expended by the district.

19 ~~H. Each community college district shall annually submit a report of~~
20 ~~its workforce development plan activities and expenditures authorized by this~~
21 ~~section for the previous year to the state board of directors for community~~
22 ~~colleges by December 1. The state board may offer recommendations regarding~~
23 ~~a district's workforce development plan for future years and shall forward~~
24 ~~the district reports to the joint legislative budget committee for review.~~

25 I: H. Each community college district shall annually submit a report
26 of ITS WORKFORCE DEVELOPMENT PLAN ACTIVITIES AND the expenditures authorized
27 in this section to the governor, president of the senate, speaker of the
28 house of representatives, JOINT LEGISLATIVE BUDGET COMMITTEE and department
29 of commerce by each December 1 following the end of the fiscal year for which
30 the expenditures have been made. The report shall include the purpose and
31 goals for which the workforce development monies were expended by each
32 district together with a general accounting of the expenditures authorized
33 in subsection B of this section. A copy of the final report shall also be
34 provided to the secretary of state and the director of the Arizona state
35 library, archives and public records.

36 Sec. 13. Title 15, chapter 12, article 4, Arizona Revised Statutes,
37 is amended by adding section 15-1473, to read:

38 15-1473. Uniform system of accounting for community college
39 districts; duties of auditor general

40 A. THE AUDITOR GENERAL SHALL DETERMINE THE ACCOUNTING SYSTEMS,
41 ACCOUNTING METHODS AND ACCOUNTING PROCEDURES FOR USE BY THE COMMUNITY COLLEGE
42 DISTRICTS.

43 B. THE AUDITOR GENERAL, IN CONJUNCTION WITH THE COMMUNITY COLLEGE
44 DISTRICTS, SHALL PRESCRIBE A UNIFORM SYSTEM OF ACCOUNTING AS PROVIDED IN
45 SECTION 41-1279.21 FOR USE BY ALL COMMUNITY COLLEGE DISTRICTS.

1 Sec. 14. Section 15-1802.01, Arizona Revised Statutes, is amended to
2 read:

3 15-1802.01. County residency status; community college
4 districts

5 A. Each community college district shall adopt policies regarding
6 domicile requirements that include, at a minimum, the following:

7 1. Each student shall have the question of domicile determined before
8 the time of registration and payment of fees. It is the responsibility of
9 the student to register under the correct domicile determination.

10 2. Enforcement of domicile requirements shall be the responsibility
11 of the chief executive officer of each community college district.

12 3. The chief executive officer of each community college district
13 shall designate a representative at each college or campus who is responsible
14 for documents and who is qualified to administer oaths as defined in section
15 41-311 in connection with statements and testimony relative to student
16 domicile status for tuition purposes. ~~Affidavits shall be submitted on a~~
17 ~~form prescribed by the state board of directors for community colleges.~~

18 4. In addition to the requirements prescribed in section 15-1802,
19 subsection G, any of the following may be used in determining a student's
20 domicile:

21 (a) An income tax return.

22 (b) The place of graduation from high school.

23 (c) The source of financial support.

24 (d) Dependency as indicated on a federal income tax return.

25 (e) Ownership of real property.

26 (f) A notarized statement of a landlord or employer.

27 (g) Bank accounts.

28 B. Each community college district shall adopt policies regarding
29 classification procedures for a student for nonresident or resident tuition
30 purposes that include, at a minimum, the following:

31 1. In determining a student's classification, the college may consider
32 all evidence, written or oral, presented by the student and any other
33 information received from any source that is relevant to determining
34 classification. The college may request written sworn statements or sworn
35 testimony of the student.

36 2. The decision as to classification shall be made by the
37 representative designated pursuant to subsection A, paragraph 3 of this
38 section. In making the decision the representative may consult with other
39 college officials. Decisions by the representative shall be made as soon as
40 possible after all relevant information is acquired.

41 3. If the representative classifies the student as a nonresident for
42 tuition purposes, the decision shall be communicated to the student by mail
43 to the most recent address furnished to the college. If the student is
44 classified as a nonresident for tuition purposes, the student must make
45 satisfactory provision for payment of nonresident tuition and other charges.

1 C. Each community college district shall adopt a review and appeals
2 process for students contesting a domicile decision by the college.

3 D. An individual domiciled in this state, but not in a community
4 college district, shall be required to sign a notarized statement as to
5 county residency stating that the individual has resided in the county for
6 at least fifty days before the first day of classes.

7 Sec. 15. Section 15-1804, Arizona Revised Statutes, is amended to
8 read:

9 15-1804. Presumptions relating to student status; definition

10 A. Unless the contrary appears to the satisfaction of the registering
11 authority of the community college or university at which a student is
12 registering, it shall be presumed that:

13 1. No emancipated person has established a domicile in this state
14 while attending any educational institution in this state as a full-time
15 student, as such status is defined by the state board of directors for
16 ~~community colleges~~ SUBSECTION B FOR COMMUNITY COLLEGE STUDENTS or AS DEFINED
17 BY the Arizona board of regents FOR UNIVERSITY STUDENTS, in the absence of
18 a clear demonstration to the contrary.

19 2. Once established, a domicile is not lost by mere absence
20 unaccompanied by intention to establish a new domicile.

21 3. A person who has been domiciled in this state immediately prior to
22 becoming a member of the armed forces of the United States shall not lose
23 in-state status by reason of such person's presence in any other state or
24 country while a member of the armed forces of the United States.

25 B. FOR THE PURPOSES OF THIS SECTION, "FULL-TIME STUDENT" MEANS A
26 COMMUNITY COLLEGE STUDENT WHO REGISTERS FOR AT LEAST TWELVE SEMESTER HOURS
27 PER SEMESTER AT A COMMUNITY COLLEGE IN THIS STATE.

28 Sec. 16. Section 15-1821, Arizona Revised Statutes, is amended to
29 read:

30 15-1821. Special admission of students under age eighteen;
31 enrollment information; reports

32 A. Each community college district board shall adopt policies which
33 require community colleges under its jurisdiction to admit students under age
34 eighteen who have not yet attained a high school diploma or high school
35 certificate of equivalency and who meet the established requirements of the
36 courses for which they enroll. The Arizona board of regents shall adopt
37 rules which require the universities under its jurisdiction to admit students
38 under age eighteen who have not yet attained a high school diploma or high
39 school certificate of equivalency and who meet the established requirements
40 of the courses for which they enroll.

41 B. The policies and rules as provided in subsection A shall include
42 the following provisions:

43 1. No student under age eighteen shall be denied admission because of
44 age, lack of a high school diploma or high school certificate of equivalency,
45 grade in school, lack of permission of school officials or lack of concurrent

1 enrollment in a public or private school, if the student has achieved at
2 least a specified score on a college entrance examination.

3 2. A community college or university which admits a student pursuant
4 to paragraph 1 of this subsection may limit the number of semester credit
5 hours in which the student may enroll to no less than six semester credit
6 hours.

7 3. A student admitted to a community college or university pursuant
8 to paragraph 1 of this subsection is not guaranteed admission to a specific
9 degree program or to all courses offered by the community college or
10 university.

11 ~~C. The state board of directors for community colleges~~ EACH COMMUNITY
12 COLLEGE DISTRICT and the Arizona board of regents shall provide all high
13 schools in this state with information which describes the policies and
14 rules, as appropriate, the types of courses available and other information
15 related to the enrollment of students under the age of eighteen. Each
16 unified or high school district school shall make this information available
17 to all students in at least grades nine through twelve.

18 D. On or before November 15, ~~the state board of directors for~~
19 ~~community colleges~~ EACH COMMUNITY COLLEGE DISTRICT and the Arizona board of
20 regents shall each submit a report to the president of the senate, the
21 speaker of the house of representatives and the state board of education AND
22 SHALL PROVIDE A COPY OF THIS REPORT TO THE SECRETARY OF STATE AND THE
23 DIRECTOR OF THE ARIZONA STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS, on
24 students under the age of eighteen YEARS OF AGE who had not yet attained a
25 high school diploma or high school certificate of equivalency and who were
26 enrolled in a university or community college course or a program for
27 community college or university credit during the time period of September
28 of the previous fiscal year through August of the current fiscal year. The
29 annual report shall include at least the following:

30 1. The number of students who were enrolled.

31 2. A general narrative of the types of courses or programs in which
32 the students were enrolled.

33 3. The rules adopted pursuant to subsection A.

34 E. On or before September 30, each institution under the jurisdiction
35 of the Arizona board of regents shall submit to the Arizona board of regents
36 in the form specified by the ARIZONA board OF REGENTS the information that
37 the ARIZONA board OF REGENTS needs to compile the report required in
38 subsection D.

39 ~~F. On or before September 30, each community college district shall~~
40 ~~submit to the state board of directors for community colleges in the form~~
41 ~~specified by the state board of directors for community colleges the~~
42 ~~information that the state board of directors for community colleges needs~~
43 ~~to compile the report required in subsection D.~~

1 Sec. 17. Section 15-1822, Arizona Revised Statutes, is amended to
2 read:

3 15-1822. Report; academic performance of high school graduates

4 A. ~~On or before October 31, the state board of directors for community~~
5 ~~colleges~~ EACH COMMUNITY COLLEGE DISTRICT and the Arizona board of regents
6 shall each submit a report to the president of the senate, the speaker of the
7 house of representatives, the superintendent of public instruction and the
8 state board of education AND SHALL PROVIDE A COPY OF THIS REPORT TO THE
9 SECRETARY OF STATE AND THE DIRECTOR OF THE ARIZONA STATE LIBRARY, ARCHIVES
10 AND PUBLIC RECORDS, on the academic performance of the preceding year's
11 graduates from high schools in this state enrolled in institutions under
12 their jurisdiction during the year ending on June 30 of the current calendar
13 year. The report shall include for each school at least the following:

14 1. The number of graduates of the school who were enrolled in the
15 institution during the reporting period.

16 2. Information about the academic performance of graduates of the
17 school in mathematics and English courses.

18 B. On or before September 1, each institution under the jurisdiction
19 of the Arizona board of regents shall submit to the Arizona board of regents
20 in the form specified by the Arizona board of regents the information that
21 the Arizona board of regents needs to compile the report required under this
22 section.

23 ~~C. On or before September 1, each community college district shall~~
24 ~~submit to the state board of directors for community colleges in the form~~
25 ~~specified by the state board of directors for community colleges the~~
26 ~~information that the state board of directors for community colleges needs~~
27 ~~to compile the report required under this section.~~

28 ~~D.~~ C. The superintendent of public instruction shall provide each
29 high school in this state with a copy of the portion of the report that is
30 applicable to its graduates.

31 Sec. 18. Section 15-1824, Arizona Revised Statutes, is amended to
32 read:

33 15-1824. Transfer articulation; annual report

34 A. The community college districts and universities shall cooperate
35 in operating a statewide articulation and transfer system, including the
36 process for transfer of lower division general education credits, general
37 elective credits and curriculum requirements for approved majors, to
38 facilitate the transfer of community college students to Arizona public
39 universities without a loss of credit toward a baccalaureate degree and TO
40 ENSURE that the postsecondary education needs of students statewide are met
41 without unnecessary duplication of programs.

42 B. The Arizona board of regents and the community college districts
43 shall submit an annual report of their progress on both articulation and
44 meeting statewide postsecondary education needs to the joint legislative
45 budget committee ~~and the state board of directors for community colleges on~~

1 or before December 15 AND SHALL PROVIDE A COPY OF THIS REPORT TO THE
2 SECRETARY OF STATE AND THE DIRECTOR OF THE ARIZONA STATE LIBRARY, ARCHIVES
3 AND PUBLIC RECORDS.

4 Sec. 19. Section 15-1851, Arizona Revised Statutes, is amended to
5 read:

6 15-1851. Commission for postsecondary education; purpose;
7 report; members; terms; powers and duties;
8 compensation; quorum; personal liability; definition

9 A. The commission for postsecondary education is established as the
10 postsecondary review entity for this state for the conduct, supervision and
11 coordination of the review of postsecondary education institutions in order
12 to determine the eligibility of those institutions for student financial aid
13 monies pursuant to the provisions of part H, subpart one of the higher
14 education amendments of 1992 (P.L. 102-325; 106 Stat. 638; 20 United States
15 Code section 1099a). The commission shall accomplish the purpose of this
16 subsection through the accumulation of information, the performance of
17 studies and the determination of compliance by the postsecondary education
18 institutions with the provisions of part H, subpart one of the higher
19 education amendments of 1992. The review authority of the commission shall
20 be limited to circumstances where the United States department of education
21 has referred an institution to the commission for review or where the United
22 States department of education has approved the review of an institution in
23 accordance with criteria established by the United States department of
24 education. The commission shall keep records of its activities, and the
25 commission shall provide information when requested to the United States
26 secretary of education for financial and compliance audits and for
27 institution evaluation. The scope of authority of the commission acting as
28 a postsecondary review entity to review any educational institution is
29 limited specifically to compliance by the institution with title IV, part H,
30 subpart one of the higher education amendments of 1992. Any review of any
31 institution conducted by the commission shall be performed in the context of
32 the institution's individual mission and purposes. The commission shall not
33 exercise planning, policy, coordinating, supervisory, budgeting or
34 administrative powers over any postsecondary institution in this state.

35 B. The commission shall also administer the applicable programs
36 identified under section 1203 of the higher education act amendments of 1998
37 (P.L. 105-244), including the leveraging educational assistance partnership
38 program, the federal family education loan program and the Paul Douglas
39 teacher scholarships program, and shall supervise the state guarantee agency
40 under the higher education act amendments of 1998.

41 C. In addition to the responsibilities prescribed in subsections A and
42 B of this section, the commission shall:

43 1. Provide a forum to public and private postsecondary education
44 institutions for discussion of issues of mutual interest, including the
45 following:

1 (a) The postsecondary needs of unserved and underserved individuals
2 in this state.

3 (b) The resources of public and private institutions, organizations
4 and agencies that are located in this state and that are capable of providing
5 postsecondary education opportunities.

6 (c) Enrollment demand and public policy options to meet statewide
7 needs for postsecondary education services.

8 (d) Cooperative comprehensive instructional and capital planning.

9 2. Provide reports pursuant to this subsection on discussions of
10 issues of mutual interest.

11 3. Coordinate and promote collaborative studies on issues of mutual
12 interest to public and private postsecondary education institutions.

13 4. Compile and disseminate information to the public regarding
14 postsecondary education opportunities in this state.

15 5. Prepare an annual report that summarizes the results of the
16 commission's activities prescribed in this section and section 15-1852. The
17 annual report shall be submitted to the speaker of the house of
18 representatives, the president of the senate, the governor and the Arizona
19 state library, archives and public records by December 28.

20 D. The commission consists of the executive director of the Arizona
21 board of regents, ~~the senior administrator of the state board of directors~~
22 ~~for community colleges~~, the executive director of the state board for private
23 postsecondary education and the following fourteen additional members who
24 shall be appointed by the governor pursuant to section 38-211:

25 1. Two members who hold senior executive or managerial positions in
26 a university under the jurisdiction of the Arizona board of regents.

27 2. Two members who hold senior executive or managerial positions in
28 a community college district, one representing a community college district
29 in a county with a population of five hundred thousand persons or more and
30 one representing a community college district in a county with a population
31 of less than five hundred thousand persons.

32 3. Two members who hold senior executive or managerial positions in
33 private postsecondary institutions of higher education that are licensed
34 under title 32, chapter 30, that are located in this state, that offer
35 bachelor or higher degrees and that are accredited by a regional
36 accreditation agency approved by the United States department of education.

37 4. Two members who hold senior executive or managerial positions in
38 private postsecondary institutions of higher education that are licensed
39 under title 32, chapter 30, that are located in this state, that offer
40 vocational education programs and that are accredited by a national
41 accreditation agency approved by the United States department of education.

42 5. One member who holds a senior executive or managerial position in
43 a private cosmetology school that is licensed under title 32, chapter 5, that
44 is located in this state, that offers cosmetology programs approved by the

1 board of cosmetology and that are IS accredited by a national accreditation
2 agency approved by the United States department of education.

3 6. One member who holds a senior executive or managerial position in
4 an institution that is licensed under title 32, chapter 23 or under the
5 provisions of 14 Code of Federal Regulations part 147, that offers vocational
6 education programs at the postsecondary level, that is located in this state
7 and that is not an institution that is qualified under any other category.

8 7. One member who has held a senior executive or managerial level
9 position in commerce or industry in this state for at least three years
10 before the member's appointment and who is not qualified to serve under any
11 other category.

12 8. Two members who hold senior executive or managerial positions in
13 the high school education system in this state.

14 9. One member who is an owner, operator or administrator of a charter
15 school in this state.

16 E. Members of the commission appointed pursuant to subsection D,
17 paragraphs 1 through 9 of this section shall serve four year
18 terms. Appointed members of the commission shall be residents of this state.
19 Appointed members of the commission at all times during their terms shall
20 continue to be eligible for appointment under the category that they were
21 appointed to represent. Terms of appointed members of the commission begin
22 on the third Monday in January. No appointed member of the commission may
23 serve more than two consecutive terms.

24 F. The executive director of the Arizona board of regents, ~~the senior~~
25 ~~administrator of the state board of directors for community colleges and the~~
26 ~~executive director of the state board for private postsecondary education~~
27 ~~serve as members of the commission during their respective terms of office~~
28 ~~and are not eligible to vote with respect to the commission's review of any~~
29 ~~postsecondary institution.~~

30 G. Members appointed pursuant to subsection D, paragraphs 1 through
31 9 of this section are eligible to receive compensation pursuant to section
32 38-611 for each day spent in the performance of commission duties and may be
33 reimbursed for expenses properly incurred in connection with the attendance
34 at meetings or hearings of the commission.

35 H. The governor shall appoint a chairman from among the members of the
36 commission who shall serve a one year term that begins on the third Monday
37 in January.

38 I. Except as provided in subsection J of this section, a majority of
39 the members of the commission constitutes a quorum for the transaction of
40 commission business. The vote of a majority of the quorum constitutes
41 authority for the commission to act.

42 J. For all purposes relating to title IV, part H, subpart one of the
43 higher education amendments of 1992 the commission membership shall consist
44 only of the members appointed pursuant to subsection D, paragraphs 1 through
45 7 of this section, and all commission actions taken pursuant to title IV,

1 part H, subpart one of the higher education act of 1992 require the
2 affirmative vote of at least six members.

3 K. Members of the commission are immune from personal liability with
4 respect to all actions that are taken in good faith and within the scope of
5 the commission's authority.

6 L. For the purposes of this section, "community college district"
7 means a community college district THAT IS established pursuant to sections
8 15-1402 and 15-1403 AND that is a political subdivision of this state.

9 Sec. 20. Section 15-1861, Arizona Revised Statutes, is amended to
10 read:

11 15-1861. Definitions

12 In this article, unless the context otherwise requires:

13 1. "Eligible institution of higher education" means any university
14 under the jurisdiction of the Arizona board of regents, any community college
15 ~~under the jurisdiction of the state board of community colleges~~ or any
16 private postsecondary institution licensed in Arizona under title 32,
17 ~~chapters~~ CHAPTER 5, 23 or 30 or under 14 Code of Federal Regulations part
18 147.

19 2. "Sufficient academic standing" means the grade point average and
20 other criteria established by an eligible institution of higher education for
21 students to maintain attendance at that institution.

22 3. "Tuition scholarship" means an award of dollars to a student
23 selected for participation in the program that shall be disbursed each
24 semester that a student is enrolled in an eligible institution of higher
25 education in amounts that do not exceed the actual semester registration fees
26 at that institution.

27 Sec. 21. Section 15-1863, Arizona Revised Statutes, is amended to
28 read:

29 15-1863. Arizona student program investing resources for
30 education selection committee; membership; duties

31 A. The Arizona student program investing resources for education
32 selection committee of the Arizona commission for postsecondary education is
33 established consisting of the following members who serve three year terms:

34 1. Three members WHO ARE appointed by the governor.

35 2. ~~Three~~ TWO members WHO ARE appointed by the Arizona commission for
36 postsecondary education, with one member each representing the Arizona board
37 ~~of regents, state board of community colleges~~ and private postsecondary
38 institutions of higher education in Arizona.

39 3. Three members WHO ARE appointed by the state board of education.

40 B. The committee shall:

41 1. Develop criteria for schools to apply for participation in the
42 program. To be selected for participation schools shall demonstrate how
43 existing programs and resources for the support of students will be
44 reorganized and utilized for the purpose of retaining students in the
45 program. In addition schools shall demonstrate a commitment to assisting the

1 Arizona commission for postsecondary education in seeking and securing monies
2 to be deposited in the scholarship fund, pursuant to section 15-1864.

3 2. With the approval of the Arizona commission for postsecondary
4 education, select schools for participation in the program based upon the
5 criteria established in paragraph 1 of this subsection.

6 3. Develop an initial application and an annual renewal application
7 for persons who wish to participate in the Arizona student program investing
8 resources in education.

9 4. Develop financial need criteria for continued participation in the
10 program after a participant graduates from high school.

11 5. Develop a special application process for persons who wish to apply
12 for participation in the program after the completion of grade three.

13 6. Develop a standardized agreement to be signed by the applicant to
14 the program and the applicant's parent or guardian.

15 7. Provide written information on the program to all schools in this
16 state.

17 8. Develop deadlines for returning applications for participation in
18 the program and deadlines for notifying applicants of acceptance or
19 rejection.

20 9. With the approval of the Arizona commission for postsecondary
21 education, annually select students for participation in the program and
22 notify applicants in writing of acceptance into the program, and if the
23 applicant is rejected, provide written notification of the reasons for
24 rejection.

25 10. Annually determine the amount of each person's grant who is
26 selected to participate in the program.

27 11. Determine and annually inform each person who is selected to
28 participate in the program of the current status of the person's scholarship
29 earnings.

30 C. The committee may terminate any person from the program if the
31 person is adjudicated of, convicted of, or pleads guilty to any crime. The
32 committee may terminate any person from the program if the person fails to
33 meet any of the criteria established in section 15-1862 or violates section
34 15-1862, subsection B, paragraph 4, subdivision (a), item (ii), except that
35 if a person selected to participate in the program fails to maintain an
36 average grade point of AT LEAST 3.0 on a 4.0 scale during any period of
37 enrollment in high school or fails to maintain sufficient academic standing
38 at an eligible institution of higher education, the selection committee shall
39 place the person on probation for one academic semester and shall not provide
40 grant monies to the person. If a person who is on probation from the program
41 fails to restore the person's grade point average to at least 3.0 on a 4.0
42 scale at a high school or return to sufficient academic standing at an
43 eligible institution of higher education at the end of the semester for which
44 the person is placed on probation, the person shall be permanently
45 disqualified from participation in the program.

1 Sec. 22. Section 15-1872, Arizona Revised Statutes, is amended to
2 read:

3 15-1872. Family college savings program oversight committee;
4 membership; powers and duties

5 A. The family college savings program oversight committee is
6 established in the commission for postsecondary education. The committee
7 consists of the following members:

8 1. The director of the department of insurance or the director's
9 designee.

10 2. The director of the department of banking or the director's
11 designee.

12 3. The state treasurer or the state treasurer's designee.

13 4. The director of the securities division of the Arizona corporation
14 commission or the director's designee.

15 5. The president of the Arizona board of regents or the president's
16 designee.

17 ~~6. The executive director of the state board of directors for~~
18 ~~community colleges or the executive director's designee.~~

19 6. A PRESIDENT OR CHANCELLOR OF A COMMUNITY COLLEGE DISTRICT WHO IS
20 APPOINTED BY THE GOVERNOR.

21 7. The chairperson of the state board for private postsecondary
22 education or the chairperson's designee.

23 8. Three members of the general public, each of whom possesses
24 knowledge, skill and experience in accounting, risk management or investment
25 management or as an actuary. The governor shall appoint these members to
26 serve staggered four year terms pursuant to section 38-211. The initial
27 members appointed pursuant to this paragraph shall assign themselves by lot
28 to serve two, three and four year terms. The chairperson shall notify the
29 governor's office on appointments of these terms. All subsequent members
30 appointed pursuant to this paragraph serve four year terms.

31 B. The commission shall select a chairperson and a vice-chairperson
32 from among the committee's membership. A majority of the membership
33 constitutes a quorum for the transaction of business. The committee shall
34 meet at least once each calendar quarter. The chairperson may call
35 additional meetings.

36 C. Members of the family college savings program oversight committee
37 appointed pursuant to subsection A, paragraph 8 of this section are eligible
38 to receive compensation as determined pursuant to section 38-611 for each day
39 of attendance at committee meetings, except that the compensation of any
40 member shall not exceed five hundred dollars in any year. The commission
41 shall pay compensation pursuant to this subsection from monies of the
42 commission.

43 D. The committee shall recommend financial institutions for approval
44 by the commission to act as the depositories and managers of family college
45 savings accounts pursuant to section 15-1874.

1 E. The committee may submit proposed rules to the commission to assist
2 in the implementation and administration of this article.

3 F. Members of the committee are immune from personal liability with
4 respect to all actions that are taken in good faith and within the scope of
5 the committee's authority.

6 Sec. 23. Section 23-391, Arizona Revised Statutes, is amended to read:

7 23-391. Overtime pay; work week

8 A. Subject to availability of appropriated funds, an employee of the
9 state or any political subdivision, serving in a position determined by the
10 law enforcement merit system council, the director of the department of
11 administration, the ARIZONA board of regents, ~~the state board of directors~~
12 ~~for community colleges~~, the board of directors for the school ARIZONA STATE
13 SCHOOLS for the deaf and the blind or the governing body of a political
14 subdivision, in the discretion of such board or body, to be eligible for
15 overtime compensation who is required to work in excess of such person's
16 normal work week, shall be compensated for such excess time at the following
17 rates:

18 1. One and one-half times the regular rate at which such person is
19 employed or one and one-half hours of compensatory time off for each hour
20 worked if overtime compensation is mandated by federal law.

21 2. If federal law does not mandate overtime compensation, the person
22 shall receive the regular rate of pay or compensatory leave on an hour for
23 hour basis at the discretion of the board or governing body.

24 B. Notwithstanding ~~the provisions of~~ subsection A, the state or a
25 political subdivision may provide, by action of the law enforcement merit
26 system council, the board of regents, ~~the state board of directors for~~
27 ~~community colleges~~, the board of directors for the school ARIZONA STATE
28 SCHOOLS for the deaf and the blind or the director of the department of
29 administration in the case of the state or of the governing body of the
30 political subdivision, for a work week of forty hours in less than five days
31 for certain classes of employees employed by the state or the political
32 subdivision.

33 Sec. 24. Section 32-3001, Arizona Revised Statutes, is amended to
34 read:

35 32-3001. Definitions

36 In this chapter, unless the context otherwise requires:

37 1. "Accredited" means accredited by an accrediting agency recognized
38 by the United States department of education.

39 2. "Board" means the state board for private postsecondary education.

40 3. "Degree" means an academic degree or honorary degree or the title
41 of any designation, mark, appellation, series of letters or words including
42 associate, bachelor, master, doctor or fellow which signifies, purports to
43 signify or is generally taken to signify satisfactory completion of the
44 requirements of an educational program of study beyond the secondary school

1 level or which is an honorary title conferred for recognition of some
2 meritorious achievement.

3 4. "Grant" means award, bestow, confer, convey or sell.

4 5. "Operate" means to establish, keep, maintain or utilize a physical
5 facility, location or mailing address in this state where, from which or
6 through which students are procured for private vocational or private degree
7 programs, private vocational or private degree programs are offered or
8 private vocational credentials or private degrees are offered or granted and
9 includes contracting for the performance of any of these acts.

10 6. "Private vocational program" means an instructional program which
11 includes a course or group of courses as defined in section 15-101 for which
12 a student does not earn a degree and which is designed to provide or is
13 advertised as providing a student with sufficient skills for entry into a
14 paid occupation, and which is not conducted solely by a public school, public
15 community college or public university ~~except as provided in section 15-1424.~~

16 Sec. 25. Section 35-101, Arizona Revised Statutes, is amended to read:

17 35-101. Definitions

18 In this chapter, unless the context otherwise requires:

19 1. "Allotment" means the allocation of an appropriation or other fund
20 source over a full fiscal year within a budget program or expenditure class.

21 2. "Annual budget unit" means the following agencies:

22 (a) The department of education.

23 (b) The Arizona board of regents.

24 (c) Arizona state university.

25 (d) Arizona state university west campus.

26 (e) Arizona state university east campus.

27 (f) The university of Arizona.

28 (g) Northern Arizona university.

29 ~~(h) The state board of directors for community colleges.~~

30 ~~(i) (h) The school facilities board.~~

31 ~~(j) (i) The department of economic security.~~

32 ~~(k) (j) The state department of corrections.~~

33 ~~(l) (k) The department of juvenile corrections.~~

34 ~~(m) (l) The Arizona health care cost containment system.~~

35 ~~(n) (m) The department of health services.~~

36 ~~(o) (n) The department of administration.~~

37 ~~(p) (o) The department of transportation.~~

38 ~~(q) (p) The judiciary, including the supreme court, the court of~~
39 ~~appeals and the superior court.~~

40 3. "Authorized agent" means a commercial enterprise contracted to
41 process transactions on behalf of a state agency.

42 4. "Biennial budget unit" means any department, commission, board,
43 institution or other agency of the state organization receiving, expending
44 or disbursing state funds or incurring obligations against the state that is
45 not an annual budget unit.

1 5. "Budget estimates" means statements with accompanying explanations,
2 as provided by this chapter, in which a budget unit states its financial
3 requirements and requests appropriations.

4 6. "Budget program" means functions and activities of a budget unit
5 or within a budget unit that are preplanned to fulfill a distinct mission.

6 7. "Budget unit" means any department, commission, board, institution
7 or other agency of the state organization receiving, expending or disbursing
8 state funds or incurring obligations against the state. Budget unit includes
9 the annual budget units and biennial budget units.

10 8. "Cardholder" means any person:

11 (a) Named on the face of a credit card to whom or for whose benefit
12 the credit card is issued by an issuer.

13 (b) In possession of a credit card with the consent of the person to
14 whom the credit card was issued.

15 9. "Claim" means a demand against the state for payment for either:

16 (a) Goods delivered or, in the case of highway construction, goods or
17 facilities to be delivered, by the federal government.

18 (b) Services performed.

19 10. "Convenience fee" means an additional fee that is imposed by an
20 authorized agent on an electronic transaction and that would not be charged
21 if the same transaction were completed in person.

22 11. "Credit card" means:

23 (a) Any instrument or device, whether known as a credit card, charge
24 card, credit plate, courtesy card or identification card or by any other
25 name, issued with or without a fee by an issuer for the use of the cardholder
26 in obtaining money, goods, services or anything else of value, either on
27 credit or in possession or in consideration of an undertaking or guaranty by
28 the issuer of the payment of a check drawn by the cardholder, on a promise
29 to pay in part or in full at a future time, whether or not all or any part
30 of the indebtedness represented by this promise to make deferred payment is
31 secured or unsecured.

32 (b) Any debit card, electronic benefit transfer card or other access
33 instrument or device, other than a check that is signed by the holder or
34 other authorized signatory on the deposit account, that draws monies from a
35 deposit account in order to obtain money, goods, services or anything else
36 of value.

37 (c) Any stored value card, smart card or other instrument or device
38 that enables a person to obtain goods, services or anything else of value
39 through the use of value stored on the instrument or device.

40 (d) The number assigned to an instrument or device described in
41 subdivision (a), (b) or (c) of this paragraph even if the physical instrument
42 or device is not used or presented.

43 12. "Discount fee" means the fee calculated and charged by the card
44 issuer or the processing financial institution, pursuant to a merchant
45 agreement for the processing of any credit card transaction.

1 13. "Encumbrance" means an obligation in the form of any purchase
2 order, contract or other commitment which is chargeable to an appropriation
3 or any other authorized fund source and for which a part of the fund source
4 is reserved. It ceases to be an encumbrance when paid or canceled.

5 14. "Expenditure class" means one of the kinds of expenditure denoting
6 a class of services or commodities purchased or properties acquired as
7 specified in the classification of expenditures prescribed by the director
8 of the department of administration for use in expenditure accounting, in
9 making budget estimates and in the budget reports and budgets.

10 15. "Issuer" means any business organization, state agency or financial
11 institution, or its duly authorized agent, that issues a credit card.

12 16. "Prepayment" means the payment of a claim before receiving the
13 goods or services.

14 17. "Purchase order" means a document that is signed by the appropriate
15 agency authorized signatory, that requests a vendor to deliver described
16 goods or services at a specific price and that on delivery and acceptance of
17 the goods or services by this state becomes an obligation of this state.

18 18. "Transaction amount" means the total amount due to the state for
19 any goods, service or license or anything else of value.

20 Sec. 26. Section 41-617, Arizona Revised Statutes, is amended to read:

21 41-617. Arizona drug and gang policy council; duties

22 A. An Arizona drug and gang policy council is established which shall
23 consist CONSISTING of members as follows:

24 1. The governor, who shall serve as chairman.

25 2. The attorney general.

26 3. The director of the department of public safety.

27 4. The director of the department of health services.

28 5. The director of the department of economic security.

29 6. The director of the state department of corrections.

30 7. The state superintendent of public instruction.

31 8. A representative from the Arizona board of regents WHO IS appointed
32 by its president.

33 ~~9. A representative from the state board of directors for community~~
34 ~~colleges appointed by its chairman.~~

35 9. A PRESIDENT OR CHANCELLOR OF A COMMUNITY COLLEGE DISTRICT WHO IS
36 APPOINTED BY THE GOVERNOR.

37 10. A member of the criminal justice commission WHO IS appointed by its
38 chairman.

39 11. A representative from the business community WHO IS appointed by
40 the governor.

41 12. A representative from the league of Arizona cities and towns WHO
42 IS appointed by the governor.

43 13. The administrative director of the courts.

44 14. The director of the Arizona health care cost containment system
45 administration.

1 15. The director of the department of juvenile corrections.

2 16. A representative, WHO IS appointed by the governor, from a local
3 community group or neighborhood group that is actively involved in community
4 substance abuse issues.

5 B. The council shall meet and organize by electing from among its
6 members such other officers as are deemed necessary or advisable. The
7 council shall meet at least once during each calendar quarter and
8 additionally as the chairman deems necessary. Staff and support services as
9 are needed for the administration of the council's activities will be
10 supplied from those state agencies represented on the council at the
11 direction of the governor.

12 C. The objective of the council is to foster cooperation among all
13 state and local governmental entities, neighborhood groups, community
14 organizations and private groups to ensure the optimal delivery of
15 educational, treatment and prevention programs that will reduce the
16 incidences of substance abuse or participation in criminal street gangs as
17 defined in section 13-105 by children, youth and families.

18 D. The Arizona drug and gang policy council shall:

19 1. Recommend the basis for effective coordination of all state
20 programs and expenditures, including federal monies, for education,
21 prevention and treatment relating to alcohol and drug abuse and participation
22 in criminal street gangs as defined in section 13-105.

23 2. Provide a liaison to community groups and private sector programs
24 involved in substance abuse and gangs education, prevention and treatment.

25 3. Conduct an annual inventory of publicly supported education,
26 prevention and treatment programs related to substance abuse and
27 participation in criminal street gangs in operation in this state to be
28 submitted by October 31 of each year to the governor, the president of the
29 senate and, the speaker of the house of representatives AND THE SECRETARY OF
30 STATE AND THE DIRECTOR OF THE ARIZONA STATE LIBRARY, ARCHIVES AND PUBLIC
31 RECORDS to be made available to the general public through the Arizona drug
32 and gang prevention resource center. The report shall include:

33 (a) The name, the location and a description of each program.

34 (b) The amount and sources of funding for each program.

35 (c) The agency that administers each program.

36 (d) The type of substance abuse or gang activity addressed by each
37 program.

38 (e) The gender of clientele served by each program and whether the
39 program serves children or adults, or both.

40 4. Evaluate the results achieved by publicly supported education,
41 treatment and prevention programs and make recommendations to the governor
42 and the legislature for revising programs or redirecting expenditures to
43 achieve better use of public resources.

44 5. Evaluate the results achieved by publicly supported education,
45 prevention and treatment programs that are related to drug related gang

1 activity in this state and make recommendations to the governor and the
2 legislature for revising programs or redirecting expenditures to achieve
3 better use of public resources.

4 6. Oversee the operation of the Arizona drug and gang prevention
5 resource center which shall be established and maintained at the direction
6 of the Arizona drug and gang policy council for the collection, storage and
7 distribution of information relating to substance abuse prevention and
8 treatment programs, gang education and prevention and treatment programs and
9 which shall serve as a referral agency for law enforcement activities.

10 7. Communicate regularly with the statewide chemical abuse prevention
11 interagency committee to collect statewide lay and professional
12 recommendations for prevention, education and treatment programs.

13 8. Communicate regularly with the Arizona criminal justice commission
14 so that programs for education, treatment and prevention are coordinated with
15 enforcement and related efforts undertaken within the criminal justice
16 system.

17 E. The Arizona drug and gang prevention resource center shall be
18 operated with the full cooperation of all agencies and entities involved in
19 the organization and maintenance of publicly supported education, prevention
20 and treatment programs related to substance abuse and gangs.

21 Sec. 27. Section 41-790.01, Arizona Revised Statutes, is amended to
22 read:

23 41-790.01. Exemptions; exception

24 A. The following are exempt from the provisions of this article
25 relating to capital improvement plans:

26 1. Land acquisition, capital projects or building renewal by any state
27 agency if the total cost of the entire acquisition, project or building
28 renewal will not exceed twenty-five thousand dollars.

29 2. Programs, projects or improvements of the state transportation
30 board relating to the construction, reconstruction, improvement or
31 maintenance of state highways or bridges.

32 ~~B. The state board of directors for community colleges is exempt from~~
33 ~~the provisions of this article.~~

34 ~~C. B. Land acquisition, capital projects and building renewal~~
35 ~~relating to buildings which serve as offices for the department of~~
36 ~~transportation are not exempt.~~

37 Sec. 28. Section 41-1057, Arizona Revised Statutes, is amended to
38 read:

39 41-1057. Exemptions

40 In addition to the exemptions stated in section 41-1005, this article
41 does not apply to:

42 1. An agency which is a unit of state government headed by a single
43 elected official.

1 2. The corporation commission, which shall adopt substantially similar
2 rule review procedures, including the preparation of an economic impact
3 statement and a statement of the effect of the rule on small business.

4 ~~3. The state board of directors for community colleges.~~

5 ~~4. 3. The state board of education and the state board for vocational~~
6 ~~and technological education.~~

7 ~~5.~~ 4. The industrial commission of Arizona when incorporating by
8 reference the federal occupational safety and health standards as published
9 in 29 Code of Federal Regulations parts 1910, 1926 and 1928.

10 ~~6.~~ 5. The Arizona state lottery if making rules that relate only to
11 the design, operation or prize structure of a lottery game.

12 Sec. 29. Section 41-1829.01, Arizona Revised Statutes, is amended to
13 read:

14 41-1829.01. Arizona peace officers memorial board; duties

15 A. The Arizona peace officers memorial board shall:

16 1. Add to the memorial at least annually the names of all members of
17 the law enforcement community in this state who have lost their lives in the
18 line of duty and provide for a dedication ceremony which commemorates the
19 addition of their names.

20 2. Plan and provide for the maintenance of the peace officers
21 memorial.

22 3. Report annually to the president of the senate and the speaker of
23 the house of representatives on the progress of the memorial AND SHALL
24 PROVIDE A COPY OF THIS REPORT TO THE SECRETARY OF STATE AND THE DIRECTOR OF
25 THE ARIZONA STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS.

26 4. Determine those persons who are eligible for the tuition waiver
27 pursuant to section 15-1808 and report the determination to the Arizona board
28 of regents or to the ~~state board of directors for community colleges~~ EACH
29 COMMUNITY COLLEGE DISTRICT GOVERNING BOARD, as applicable.

30 B. The Arizona peace officers memorial board may:

31 1. Solicit private monetary donations for deposit in the Arizona peace
32 officers memorial fund.

33 2. Use the monies deposited in the Arizona peace officers memorial
34 fund established by section 41-1829.02 for persons who are eligible for the
35 tuition waiver pursuant to section 15-1808 to pay for tuition, if tuition has
36 not been waived, and other educational expenses incurred at a community
37 college or a publicly or privately funded college or university or technical
38 school.

39 Sec. 30. Section 41-1862, Arizona Revised Statutes, is amended to
40 read:

41 41-1862. Arizona fire fighters and emergency paramedics
42 memorial board; duties

43 The Arizona fire fighters and emergency paramedics memorial board
44 shall:

1 1. Establish a memorial for all fire fighters and emergency paramedics
2 who have lost their lives in the line of duty.

3 2. Determine those persons who are eligible to be memorialized.

4 3. Plan and provide for additions to and maintenance of the fire
5 fighters and emergency paramedics memorial.

6 4. Solicit private monetary donations or public monies from
7 municipalities for deposit in the Arizona fire fighters and emergency
8 paramedics memorial fund.

9 5. Receive property from any public source for use in establishing or
10 maintaining the memorial.

11 6. Report annually to the president of the senate and the speaker of
12 the house of representatives on the progress of the memorial AND SHALL
13 PROVIDE A COPY OF THIS REPORT TO THE SECRETARY OF STATE AND THE DIRECTOR OF
14 THE ARIZONA STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS.

15 7. Determine those persons who are eligible for the tuition waiver
16 scholarship pursuant to section 15-1808 and report the determination to the
17 Arizona board of regents or to the ~~state board of directors for community~~
18 ~~colleges~~ EACH COMMUNITY COLLEGE DISTRICT GOVERNING BOARD, as applicable.

19 Sec. 31. Section 41-3501, Arizona Revised Statutes, is amended to
20 read:

21 41-3501. Definitions

22 In this chapter, unless the context otherwise requires:

23 1. "Agency" means the government information technology agency.

24 2. "Budget unit" means a department, commission, board, institution
25 or other agency of the state organization receiving, expending or disbursing
26 state funds or incurring obligations of the state including the ARIZONA board
27 of regents ~~and the state board of directors for community colleges~~ but
28 excluding the universities under the jurisdiction of the ARIZONA board of
29 regents, and the community colleges ~~under their respective jurisdictions~~
30 COLLEGE DISTRICTS and the legislative or judicial branches.

31 3. "Committee" means the information technology authorization
32 committee.

33 4. "Director" means the director of the agency.

34 5. "Disaster recovery" means the measures required to mitigate the
35 loss of information technology capability.

36 6. "Information technology" means all computerized and auxiliary
37 automated information processing, telecommunications and related technology,
38 including hardware, software, vendor support and related services, equipment
39 and projects.

40 Sec. 32. Section 42-5029.01, Arizona Revised Statutes, is amended to
41 read:

42 42-5029.01. Qualifying Indian tribe; report; accounting
43 procedures; definitions

44 A. To qualify for funding pursuant to section 42-5029, subsection E,
45 paragraph 4, a qualifying Indian tribe shall report its full-time equivalent

1 student enrollment, as calculated under section 15-1466.01, in the preceding
2 fiscal year to the ~~state board of directors for community colleges~~ AUDITOR
3 GENERAL by June 30 each year and shall comply with the same accounting
4 procedures and practices prescribed by the ~~state board of directors for~~
5 ~~community colleges~~ AUDITOR GENERAL for calculating full-time equivalent
6 student enrollment for community colleges under its jurisdiction COLLEGE
7 DISTRICTS. A qualifying Indian tribe may report to the state board of
8 education the number of students simultaneously enrolled in a course for both
9 high school and community college credit.

10 B. For THE purposes of this section:

11 1. "Community college" includes any college owned, operated or
12 chartered by a qualifying Indian tribe.

13 2. "Qualifying Indian tribe" has the same meaning prescribed in
14 section 42-5031.01, subsection D.

15 Sec. 33. Section 44-7002, Arizona Revised Statutes, is amended to
16 read:

17 44-7002. Definitions

18 In this chapter, unless the context otherwise requires:

19 1. "Agreement" means the bargain of the parties in fact, as found in
20 their language or inferred from other circumstances and from rules,
21 regulations and procedures that are given the effect of agreements under laws
22 otherwise applicable to a particular transaction.

23 2. "Automated transaction" means a transaction that is conducted or
24 performed, in whole or in part, by electronic means or electronic records AND
25 in which the acts or records of one or both parties are not reviewed by an
26 individual in the ordinary course in forming a contract, performing under an
27 existing contract or fulfilling an obligation that is required by the
28 transaction.

29 3. "Computer program" means a set of statements or instructions to be
30 used directly or indirectly in an information processing system in order to
31 bring about a certain result.

32 4. "Contract" means the total legal obligation resulting from the
33 parties' agreement as affected by this chapter and any other applicable law.

34 5. "Electronic" means relating to technology that has electrical,
35 digital, magnetic, wireless, optical or electromagnetic capabilities or
36 similar capabilities.

37 6. "Electronic agent" means a computer program or an electronic or
38 other automated means that is used independently to initiate an action or
39 respond to electronic records or performances, in whole or in part, without
40 review or action by an individual.

41 7. "Electronic record" means a record that is created, generated,
42 sent, communicated, received or stored by electronic means.

43 8. "Electronic signature" means an electronic sound, symbol or process
44 that is attached to or logically associated with a record and that is
45 executed or adopted by an individual with the intent to sign the record.

1 9. "Governmental agency" means an executive, legislative or judicial
2 agency, department, board, commission, authority, institution or
3 instrumentality of the federal government or a state or of a county or
4 municipality or other political subdivision of a state.

5 10. "Information" means data, text, images, sounds, codes, computer
6 programs, software or databases or similar items.

7 11. "Information processing system" means an electronic system for
8 creating, generating, sending, receiving, storing, displaying or processing
9 information.

10 12. "Person" means an individual, corporation, business trust, estate,
11 trust, partnership, limited liability company, association, joint venture,
12 governmental agency or public corporation or any other legal or commercial
13 entity.

14 13. "Record" means information that is inscribed on a tangible medium
15 or that is stored in an electronic or other medium and that is retrievable
16 in perceivable form.

17 14. "Security procedure" means a procedure that is employed to verify
18 that an electronic signature, record or performance is that of a specific
19 person or to detect changes or errors in the information in an electronic
20 record. Security procedure includes a procedure that requires the use of
21 algorithms or other codes, identifying words or numbers or encryption,
22 callback or other acknowledgment procedures.

23 15. "State" means a state of the United States, the District of
24 Columbia, Puerto Rico, the United States Virgin Islands or any territory or
25 insular possession subject to the jurisdiction of the United States. State
26 includes an Indian tribe or band or Alaskan native village that is recognized
27 by federal law or formally acknowledged by another state.

28 16. "State agency" means any department, commission, board, institution
29 or other agency of the state that receives, expends or disburses state funds
30 or incurs obligations of the state, including the Arizona board of regents
31 ~~and the state board of directors for community colleges but excluding the~~
32 ~~universities under the jurisdiction of the Arizona board of regents, and the~~
33 ~~community colleges under their respective jurisdictions~~ COLLEGE DISTRICTS and
34 the legislative or judicial branches.

35 17. "Transaction" means an action or set of actions occurring between
36 two or more persons relating to the conduct of business, commercial or
37 governmental affairs.

38 Sec. 34. Retention of members

39 Notwithstanding sections 15-201, 15-1851, 15-1863, 15-1872 and 41-617,
40 Arizona Revised Statutes, as amended by this act, the persons serving as the
41 representatives of the state board of directors for community colleges on the
42 state board of education, the commission for postsecondary education, the
43 Arizona student program investing resources for education selection
44 committee, the family college savings program oversight committee and the

1 Arizona drug and gang policy council on the effective date of this act may
2 continue to serve until the expiration of their normal terms.

3 Sec. 35. Conditional enactment

4 Section 15-201, Arizona Revised Statutes, as amended by this act, does
5 not become effective unless a corresponding change to article XI, section 3,
6 Constitution of Arizona, is approved by a vote of the people at the next
7 general election.

APPROVED BY THE GOVERNOR JUNE 4, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 4, 2004.

Passed the House March 15, 2004

Passed the Senate April 15, 2004

by the following vote: 57 Ayes,

by the following vote: 29 Ayes,

0 Nays, 3 Not Voting

0 Nays, 1 Not Voting

Jack Flake
Speaker of the House

John Bennett
President of the Senate

Norman L. Moore
Chief Clerk of the House

Charmine Bellinger
Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR**

This Bill was received by the Governor this

_____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

_____, 20____,

at _____ o'clock _____ M.

Governor of Arizona

H.B. 2601

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE**

This Bill was received by the Secretary of State

this _____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary of State

HOUSE FINAL PASSAGE
as per Joint Conference

Passed the House May 26, 2004,

by the following vote: 45 Ayes,

11 Nays, 4 Not Voting

Jake Flake
Speaker of the House

Norman L. Fyore
Chief Clerk of the House

SENATE FINAL PASSAGE
as per Joint Conference

Passed the Senate May 26, 2004,

by the following vote: 26 Ayes,

0 Nays, 4 Not Voting

Klu Blunett
President of the Senate

Charmine Billington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor

this 27th day of May, 2004

at 8:35 o'clock a. M.

Jennifer Uparra
Secretary to the Governor

Approved this 4 day of

June, 2004,

at 9⁴⁰ o'clock A. M.

J. N. ...
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 4 day of June, 2004,

at 11:15 o'clock A. M.

Janice L. Brewer
Secretary of State

H.B. 2601